

I have no problem with section one of this bill. I think a regulated public utility should, as a last resort, have the power of eminent domain. The problem with the bill is the section which grants eminent domain rights to anyone, public or private, regulated or not, who has a Major Facility Siting Certificate issued by DEQ. This is way too broad. Unregulated private enterprise should not have this power.

This bill was written to correct problems Montana Alberta Tie Line is having obtaining right of way easements. Their problems were caused by a screwed up planning system and their attitude of give us what we want or we will condemn your property. This worked until Larry Salois stood up to them.

I will outline my experience with them. In 2005 I was approached by a MATL representative who said they wanted to build a power line parallel to one Montana Power had built in the 70's. I said OK, just don't get so close to the other two lines that we can't farm between the poles, and get back to me when you have more details. About a year later he called and said he had some good news and some bad news. The power line isn't going to be where I said it was; it's supposed to go right over your house. We didn't think you'd like that, so I'd like to meet with you and see if we can come up with a solution we can both live with. We looked the situation over and agreed on a route that was about a mile away from the buildings and I gave them an option for a right of way easement there, for which they paid \$715.00. This seemed to me to be a reasonable outcome.

The next time I heard from MATL was approximately three years later, in June of 2009, inviting me to a meeting in Great Falls to show landowners the power line corridor. There had been a lot of changes in the preceding three years, most notably the line had been moved so that it was now only a quarter mile away from our farmstead and MATL had new land agents, DJ&A from Missoula. I asked why the route had been changed from the one I had agreed to but no one had an answer. I asked how to get it changed back and I was told by the head of DJ&A, "That's the way it came out of Helena and that's the way it's going to be." DEQ says MATL can request an amendment to move the line and MATL says they won't. This is what occurs when an outfit like this thinks they have eminent domain power. You can't let this happen!

A better way to fix this would be to change the planning process to involve the affected landowners face to face from the beginning and to keep them informed of pertinent changes. MATL started out like this but something changed for the worse somewhere along the line.

I know practically all of the people who haven't signed MATL easements and all of them would allow the line on their property if some changes were made rather than what the company is trying to force on them.

I continually hear how we have to be so nice to these out of state companies so they will continue to come to Montana to do business. Well, what about the families and businesses that have been here and paid taxes for generations, how about being nice to them? I urge you to reject this bill.